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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JERRY MULLENS,)	Case No. CV 09-9118-RSWL (DTB)
)	
Petitioner,)	
vs.)	ORDER ADOPTING FINDINGS,
)	CONCLUSIONS AND
KELLY HARRINGTON,)	RECOMMENDATION OF UNITED
Warden,)	STATES MAGISTRATE JUDGE
)	
Respondent.)	

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, all the records and files herein, and the Report and Recommendation of the United States Magistrate Judge. No objections to the Report and Recommendation have been filed herein. The Court concurs with and adopts the findings, conclusions and recommendations of the Magistrate Judge.

IT THEREFORE IS ORDERED that respondent's Motion to Dismiss is granted and that Judgment be entered denying the Petition and dismissing this action without prejudice.

Dated: October 25, 2010

RONALD S.W. LEW

RONALD S. W. LEW
Senior, U.S. District Court Judge